

Ogonna M. Atamoh, Esq.
Nevada Bar No. 7589
SANTORO, DRIGGS, WALCH,
KEARNEY, HOLLEY & THOMPSON
400 South Fourth Street, Third Floor
Las Vegas, Nevada 89101
Telephone: 702/791-0308
Facsimile: 702/791-1912
Email: oatamoh@nevadafirm.com

Artemus W. Ham, Esq. (NV Bar No. 7001)
MAINOR EGLET
400 South Fourth Street, Sixth Floor
Las Vegas, Nevada 89101
Telephone: 702/450-5400
Facsimile: 702/4505451
Email: aham@egletwall.com

Attorney for Clients, Henry Chanin, et al. Represented by Mainor Eglet

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

In re:

ENDOSCOPY CENTER OF SOUTHERN
NEVADA,

Debtor.

CLIENTS, HENRY CHANIN, ET AL,
REPRESENTED BY MAINOR EGLET,

Appellants,

vs.

ENDOSCOPY CENTER OF SOUTHERN
NEVADA, LLC, a Nevada limited liability co.
AND BRIAN D. SHAPIRO, Trustee

Appellees.

Bankruptcy Case No. BK-S 09-22780-MKN
Chapter 7
Appeal Reference Number 12-06

Case No. 2:12-cv-00166-JCM-PAL

**STIPULATION AND
ORDER DISMISSING BANKRUPTCY
APPEAL**

Ogonna M. Atamoh, Esq., of the law firm of SANTORO, DRIGGS, WALCH,
KEARNEY, HOLLEY & THOMPSON, and Artemus W. Ham, Esq. of the law firm of
MAINOR EGLET, attorneys for the Clients, the Infected and Non-infected Clients of the Debtor
Clinics that are Represented by Mainor Eglet ("Clients"), by and through their undersigned
counsel, Cecilia Lee, Esq., attorney for Nevada Mutual Insurance Company, and Andrew Baxter

1 Ryan, Esq., of the law firm DIAMOND MCCARTHY LLP, attorneys for Brian D. Shapiro
2 Trustee, hereby stipulate and agree as follows:

3 WHEREAS,

4 1. On January 31, 2012, the Clients filed in the Bankruptcy Court, in Case No. BK-S
5 09-22780-MKN, a *Notice of Appeal with Certificate of Service* and *Notice of Election to Have*
6 *Appeal Heard by United States District Court Pursuant to 28 U.S.C. § 158(c)(1)(A) with*
7 *Certificate of Service*, and on February 3, 2012, the Clients filed in the District Court in the
8 current case, Case No. 2:12-cv-00166-JCM-PAL, an *Amended Notice of Bankruptcy Appeal* (the
9 “Notice of Appeal”); and

10 2. Fed. R. Bankr. P. 8001(c)(2) allows dismissal of an appeal from the Bankruptcy
11 Court upon stipulation of all parties to the appeal;

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SANTORO, DRIGGS, WALCH,
KEARNEY, HOLLEY & THOMPSON

SDW

1 ACCORDINGLY, IT IS HEREBY STIPULATED AND AGREED THAT:

2 1. The current appeal from the Bankruptcy Court's order dated January 17, 2012,
3 Case No. BK-S 09-22780-MKN, should be dismissed upon approval of this Stipulation and
4 Order of this Court.


5 2. To the extent any court costs or fees are due to the Court pursuant to FRBP
6 8001(c)(2), the Clients shall pay such court costs or fees.

7 3. With the exception of Paragraph 2 above, all parties are to bear their own fees and
8 costs in connection with the above-captioned appeal.

9 Dated this _____ day of March, 2012.

10 **SANTORO, DRIGGS, WALCH,
11 KEARNEY, HOLLEY & THOMPSON**

CECILIA LEE, LTD.

12 
13 Ogonna M. Atamoh, Esq.
14 Nevada Bar No. 7589
400 South Fourth Street, Third Floor
Las Vegas, Nevada 89101

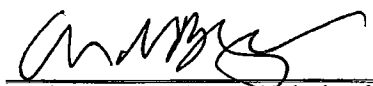
/s/ Cecilia Lee
Cecilia Lee, Esq. (NV Bar No. 3344)
448 Ridge Street
Reno, Nevada 89501

15 Artemus W. Ham, Esq. (NV Bar No. 7001)
16 MAINOR EGLET
400 South Fourth Street, Sixth Floor
Las Vegas, Nevada 89101

*Attorney for Nevada Mutual Insurance
Company*

17 *Attorneys for Clients, Henry Chanin, et al.*
18 *Represented by Mainor Eglet*

19 **DIAMOND MCCARTHY LLP**

20 
21 Andrew Baxter Ryan (Admitted Pro Hac Vice)
22 1201 Elm Street, Suite 3400
Dallas, TX 75270

23 *Attorneys for Brian D. Shapiro Trustee*

24 **IT IS SO ORDERED.**

25 
26 UNITED STATES DISTRICT JUDGE

27 DATED: March 7, 2012
28 _____

SANTORO, DRIGGS, WALCH,
KEARNEY, HOLLEY & THOMPSON

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CERTIFICATE OF SERVICE

Pursuant to Fed. R. Civ. P. 5(b), I certify that on the 5th day of March, 2012, I caused the document entitled **MOTION TO DISMISS BANKRUPTCY APPEAL**, to be served as follows:

Attorneys of Record	Parties Represented	Method of Service
JOHN T HANSEN JOHN HANSEN LAW FIRM 101 HOWARD STREET, STE 310 SAN FRANCISCO, CA 94105 (510) 538-9233 (fax) jhansenlaw101@gmail.com	Endoscopy Center of Southern Nevada, LLC	<input type="checkbox"/> Personal Service <input checked="" type="checkbox"/> Email/E-File CMECF <input type="checkbox"/> Fax Service <input type="checkbox"/> Mail Service <input type="checkbox"/> Overnight Delivery
ANDREW BAXTER RYAN DIAMOND MCCARTHY LLP 1201 ELM STREET, STE 3400 DALLAS, TX 75270 (214) 389-5399 (fax) aryan@diamondmccarthy.com edolghih@diamondmccarthy.com	Brian D. Shapiro Trustee	<input type="checkbox"/> Personal Service <input checked="" type="checkbox"/> Email/E-File CMECF <input type="checkbox"/> Fax Service <input type="checkbox"/> Mail Service <input type="checkbox"/> Overnight Delivery
KYUNG S LEE JASON M. RUDD DIAMOND MCCARTHY LLP 909 FANNIN SUITE 1500 HOUSTON, TX 77010 (713) 333-5195 (fax) klee@diamondmccarthy.com jrudd@diamondmccarthy.com	Brian D. Shapiro, Trustee	<input type="checkbox"/> Personal Service <input checked="" type="checkbox"/> Email/E-File CMECF <input type="checkbox"/> Fax Service <input type="checkbox"/> Mail Service <input type="checkbox"/> Overnight Delivery
BART K. LARSEN 400 SOUTH RAMPART BOULEVARD SUITE 400 LAS VEGAS, NV 89145 (702) 362-9472 (fax) blarsen@klnevada.com	Official Committee of Unsecured Clients of Dipak Desai	<input type="checkbox"/> Personal Service <input checked="" type="checkbox"/> Email/E-File CMECF <input type="checkbox"/> Fax Service <input type="checkbox"/> Mail Service <input type="checkbox"/> Overnight Delivery

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Attorneys of Record	Parties Represented	Method of Service
NATALIE M. COX KOLESAR & LEATHAM 400 S. RAMPART BOULEVARD LAS VEGAS, NV 89145 702 362-1281 (fax) Email: ncox@klnevada.com	Official Committee of Unsecured Clients of Dipak Desai	<input type="checkbox"/> Personal Service <input checked="" type="checkbox"/> Email/E-File CMECF <input type="checkbox"/> Fax Service <input type="checkbox"/> Mail Service <input type="checkbox"/> Overnight Delivery
CECILIA LEE 448 RIDGE STREET RENO, NEVADA 89501 (775) 324-0113 (fax) efile@cecilialee.net	Nevada Mutual Insurance Company	<input type="checkbox"/> Personal Service <input checked="" type="checkbox"/> Email/E-File CMECF <input type="checkbox"/> Fax Service <input type="checkbox"/> Mail Service <input type="checkbox"/> Overnight Delivery

Dated this 5th day of March, 2012.



An employee of Santoro, Driggs, Walch,
Kearney, Holley & Thompson

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KEARNEY, HOLLEY & THOMPSON

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